

SATURDAY, JANUARY 15, 1983

FIFTH ORGANIZATIONAL DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Representative Herman Wolfe of Hardin County.

Representative Nance led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 91

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--91.

The Speaker announced that Representative Bragg was excused because of legislative business.

The Speaker announced that Representative Crain was excused because of legislative business.

The Speaker announced that Representative Wix was excused because of illness.

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The Speaker announced that Representative Dixon was excused because of legislative business.

Mr. Robinson (Davidson) moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 23, out of order, which motion prevailed.

House Joint Resolution No. 23--Relative to commending WTVF, Nashville--By Robinson (Davidson) and Ellis.

Mr. Robinson (Davidson) moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 23, which motion prevailed.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

SECOND ROLL CALL

The roll call was taken with the following results:

Present 91

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Quer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--91.

INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 15--Relative to study, licensure of motor vehicle operators--By Severance and Smith.

The Speaker referred House Joint Resolution No. 15 to the Committee on Transportation.

House Joint Resolution No. 16--Relative to congratulating Oak Ridge High School girls' cross country team--By McNally.

Under the rules, House Joint Resolution No. 16 was referred to the Committee on Calendar and Rules.

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House Joint Resolution No. 17--Relative to congratulating Oak Ridge High School soccer team--By McNally.

Under the rules, House Joint Resolution No. 17 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 18--Relative to naming the "Conley R. Huskey Bridge"--By Ford.

The Speaker referred House Joint Resolution No. 18 to the Committee on Transportation.

House Joint Resolution No. 19--Relative to congratulating Toby Pearson--By Shockley.

Under the rules, House Joint Resolution No. 19 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 21--Relative to commending Danny Griffin--By Dills.

Under the rules, House Joint Resolution No. 21 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 22--Relative to memory, Alfred T. Adams, Sr.--By McNally and Cobb.

Under the rules, House Joint Resolution No. 22 was referred to the Committee on Calendar and Rules.

INTRODUCTION OF BILLS

House Bill No. 47--To make certain provisions, auctioneers--By Covington.

Passed first consideration.

House Bill No. 48--To regulate certain signs, highway rights-of-way--By Davidson.

Passed first consideration.

House Bill No. 49--To provide for litter and refuse control, Tipton County--By Naifeh.

Passed first consideration.

House Bill No. 50--To provide for reinstatement, certain sick leave--By Smith.

Passed first consideration.

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House Bill No. 51--To make certain provisions, insanity defense, criminal cases--By Kent and Hassell.

Passed first consideration.

House Bill No. 52--To provide for mutual assistance, fire fighting --By Davis (Hamilton) and Elsea.

Passed first consideration.

House Bill No. 53--To prohibit massage for compensation, certain areas--By Davis (Hamilton), Montgomery, McAfee and Elsea.

Passed first consideration.

House Bill No. 54--To set penalty, certain massage--By Montgomery and Davis (Hamilton).

Passed first consideration.

House Bill No. 55--To provide for Pledge of Allegiance to Flag, public schools--By Dills, Bell, Severance, Shirley, Davis (Pickett), Herndon, Davis (Gibson), Crain, Tanner, McAfee, Elsea, Wood, Shockley, Robinson (Hamilton), Anderson, Naifeh, Wallace, Byrd, Harrill, Hillis, Stallings, Moore (Sullivan), Wolfe, Atchley, Turner, Webb and Kisber.

Passed first consideration.

House Bill No. 56--To allow period of silence, public schools--By Dills, Severance, Bell, Shirley, Davis (Pickett), Herndon, Davis (Gibson), Crain, Tanner, McAfee, Elsea, Wood, Shockley, Anderson, Naifeh, Kisber, Wallace, Byrd, Harrill, Hillis, Stallings, Wolfe, Turner, Atchley and Webb.

Passed first consideration.

House Bill No. 57--To increase penalty, certain criminal offenses --By Dills.

Passed first consideration.

House Bill No. 58--To change age, Senior Citizens--By Dills.

Passed first consideration.

House Bill No. 59--To prohibit sale, certain fowl--By Dills.

Passed first consideration.

House Bill No. 60--To make certain provisions, Higher Education Commission--By Shockley and Bivens.

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Passed first consideration.

House Bill No. 61--To provide loans, volunteer fire departments--By McNally and Wheeler.

Passed first consideration.

House Bill No. 62--To terminate Sam Davis Memorial Association, 1989--By Davis (Hamilton).

Passed first consideration.

House Bill No. 63--To terminate Conservation Commission, 1989--By Davis (Hamilton).

Passed first consideration.

House Bill No. 64--To change Alcoholic Beverage Commission--By Davis (Hamilton).

Passed first consideration.

House Bill No. 65--To terminate Historical Commission, 1989--By Davis (Hamilton).

Passed first consideration.

House Bill No. 66--To terminate Ladies' Hermitage Association, 1989--By Davis (Hamilton).

Passed first consideration.

House Bill No. 67--To change Goodwyn Institute Commission--By Davis (Hamilton).

Passed first consideration.

House Bill No. 68--To create Juvenile Court, Coffee County--By Johnson.

Passed first consideration.

House Bill No. 69--To amend Charter, Tullahoma--By Johnson and Murray.

Passed first consideration.

House Bill No. 70--To provide interstate exit signs, certain state parks--By Johnson and Rhinehart.

Passed first consideration.

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House Bill No. 71--To enact State Occupational Therapy Practice Act--By Burnett, Yelton and Moore (Sullivan).

Passed first consideration.

House Bill No. 72--To make certain allowances, family burial grounds--By Robinson (Hamilton).

Passed first consideration.

House Bill No. 73--To repeal Section 49-1238, Code--By Robinson (Hamilton).

Passed first consideration.

House Bill No. 74--To change method of election, General Sessions Judges, Hamilton County--By Robinson (Hamilton), Starnes, Copeland, McAfee, Elsea, Wood and Davis (Hamilton).

Passed first consideration.

House Bill No. 75--To provide support for family, officers killed in the line of duty--By Davis (Gibson), Wallace, Crain, Tanner, Stallings, Dills, Sir, Gill, Phillips, Whitson, Yelton, Naifeh, Miller, Jared and Herndon.

Passed first consideration.

House Bill No. 76--To make certain provisions, private investigators--By Davis (Gibson), Wallace, Crain, Stallings, Hillis, Murray, Davis (Pickett), Gill, Phillips and Bell.

Passed first consideration.

House Bill No. 77--To create Board of Science and Technology--By Owen.

Passed first consideration.

House Bill No. 78--To authorize verdict, "guilty but mentally ill"--By Tanner and Naifeh.

Passed first consideration.

House Bill No. 79--To revise and codify general and public statutes--By Naifeh, Murphy, McKinney, Henry and Mr. Speaker McWherter.

Passed first consideration.

House Bill No. 80--To revise and reenact Titles 38 and 39, Code--By Naifeh, Murphy, Henry, McKinney and Mr. Speaker McWherter.

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Passed first consideration.

House Bill No. 81--To revise and reenact Titles 40 and 41, Code--By Naifeh, Murphy, McKinney, Henry and Mr. Speaker McWherter.

Passed first consideration.

House Bill No. 82--To revise and reenact Titles 62 through 64, Code--By Naifeh, Murphy, McKinney, Henry and Mr. Speaker McWherter.

Passed first consideration.

House Bill No. 83--To revise and reenact Titles 65 and 66, Code--By Naifeh, Murphy, McKinney, Henry and Mr. Speaker McWherter.

Passed first consideration.

House Bill No. 84--To limit frequency of incorporation initiatives, proposed municipality--By Hassell.

Passed first consideration.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 42--To provide for college courses, certain public high schools.

Passed second consideration and referred to Committee on Education.

House Bill No. 43--To make child pornography a felony.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 44--To set terms of officials, certain municipalities.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 45--To make certain provisions, advertising structures.

Passed second consideration and referred to Committee on Transportation.

House Bill No. 46--To make certain provisions, Civil Service interviews.

Passed second consideration and referred to Committee on State and Local Government.

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MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 5, 13 and 16; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 5, 13 and 16.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bill as indicated below, the prime sponsor having agreed to such addition:

House Bill No. 21--Dills, Gafford.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolution No. 23; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.:

8--Relative to proclaiming "Big Brother/Big Sister Week";

14--Relative to congratulating Charlie and Cornelia Pope; both concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Naifeh moved that the House recess to meet with the Senate in Joint Convention for the purpose of inaugurating the Honorable Lamar Alexander as Governor of the State of Tennessee, and further moved that upon conclusion of the Joint Convention, the Organizational Session of the House of Representatives of the 93rd General Assembly would be adjourned, in accordance with House Joint Resolution No. 2, which motion prevailed.

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IN JOINT CONVENTION

INAUGURATION OF THE GOVERNOR

The hour having arrived, set by Senate Joint Resolution No. 3--Relative to Joint Convention, Inauguration of the Honorable Lamar Alexander.

The Joint Convention was called to order by Mr. Speaker Wilder, President of the Joint Convention.

On motion of Senator Hamilton, the roll call of the Senate was dispensed with.

On motion of Representative McKinney, the roll call of the House was dispensed with.

Thereupon, the Clerk of the Senate read Senate Joint Resolution No. 3 authorizing the Joint Convention.

Mr. President Wilder appointed a Select Committee composed of Senators Garland, Co-Chairman, Hamilton, Ford, Atchley and Crockett; Representatives Henry, Co-Chairman, Webb, Shockley, Robinson (Hamilton) and Montgomery to escort Governor Alexander to the Speaker's podium.

The invocation was given by Dr. Michael Lee Graves, Pastor, Temple Baptist Church, Nashville, Tennessee.

The National Anthem was sung by Miss Kim Stewart of East Tennessee State University and a recipient of Alexander Music Scholarship, and accompanied by the University of Tennessee "Pride of the Southland" Band, under the Direction of Dr. J. Julian.

GOVERNOR'S INAUGURAL ADDRESS

Governor Wilder, Mr. Speaker McWherter, Mr. Chief Justice, Members of the Cabinet, My Family, My Friends, every Tennessean...

My preacher says, that after three sentences, nobody listens.

So, here are my three sentences . . .

First, Honey and I thank you from the bottom of our hearts for your support, your patience, your kindness and your prayers.

You have given me something no other Tennessean has ever had: The opportunity for eight straight years to speak for the best hopes of Tennessee. With God's help, I am determined to make it pay off for you.

Second . . . and this is not a sentence, it is a motto or even a battle cry: Basic Skills, Computer Skills, New Job Skills. Basic

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Skills First, Computer Skills Next, then, New Job Skills for all Tennesseans of all ages.

If I could preach like Michael Graves, I'd ask you all to shout it back to me: Basic Skills, Computer Skills, New Job Skills.

I will be leading that chant again and again and again.

And, third: While we are tumbling head over heels into the strange new world of electronics, computers and microprocessors, let's keep Tennessee a nice place to live.

Our water's clean. The fishing's good. The mountains are beautiful. Our values are right. There are 3,000 Tennessee places with names that Tennesseans proudly call home. As we reach out for change, as we must, we would be crazy to mess up the special Tennessee way of life in those towns, cities, neighborhoods, crossroads and junctions.

* * * * *

If you're still listening, a word or two more about sentences two and three.

Why Basic Skills First, Computer Skills Next, then New Job Skills for all Tennesseans of all ages and every race?

JOBS is the answer.

Because Tennesseans want better-paying jobs and that is the way to get them.

Our family incomes are too low. We're 44th in the country. We've been that way for 50- years. It limits almost everything we try to do.

There is more change going on in the job market today than ever since America began to move from agriculture to industry a century ago.

To get jobs, we're going to have to make some changes, too.

I have a friend who doesn't understand new computer-based machinery which is displacing workers at his plant. His wife works at a woolen mill which is struggling to stay open. But his daughter is graduating from Nashville Technical Institute and will have a better salary than he has.

My friend sees in his family's working lives that this is the age of electronics and information exchange, that most of the new jobs in Tennessee will require more brain power than muscle power: computer programmers, teachers, clerks, secretaries, accountants, stock

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brokers, managers, insurance people, government workers, bankers, technicians.

Agribusiness may be our number one industry, but only three percent of us are farmers. Twenty-five per cent of us work in manufacturing plants and that percentage is decreasing.

Seventy-five to eighty percent of new jobs will require more than a high school education. Yet, only half of Tennessee's adults have a high school education.

In this age, knowledge means jobs but we have yet to insist that eighth grade graduates have eighth grade skills.

And, many, many Tennessee adults need to brush up on those basic skills, too.

States that do the best job of planning for this new age will be the states where the people get the new jobs.

That's why I'm campaigning across this state as hard as I ever did to get elected for:

--Basic Skills First

--Computer Skills Next

--New Jobs Skills for all Tennesseans of all ages

It will take:

--A stronger curriculum

--Higher standards

--Tougher management

--Better teachers who can look forward to a more professional career.

All of those in school will have to work harder.

Those of us out of school will have to go back to school, including governors who do not know how to operate a personal computer.

Making sure you go back to school is nearly as important as making sure you send your child to school.

And, if these changes in the quality of our system of public education are made, we had better get ready to pay the bill. . . If we want the jobs.

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Basic Skills, Computer Skills, New Job Skills

* * * * *

Now an idea about my third point, about keeping Tennessee a nice place to live.

Proportionately, more people are moving to Tennessee than almost any other state -- 350,000 people in the 80's.

Why?

Why is Alex Haley, who has roots around the world now, building a new home near Norris?

Why did Peter and Barbara Jenkins, who walked across America for six years and know it as well as anybody, pick Spring Hill to put down their roots and make home?

Why does Minnie Pearl find more interest in Tennessee today than at any time in her 42 years of traveling around America?

Why was tourism in Tennessee up in 1982, while the national economy was down?

Why did 11 million people come to the World's Fair last year?

Why, every year, do eight million more visit the Great Smokies, two million and more visit Opryland, Graceland, Mud Island, Lynchburg, Rock City?

Why do the Japanese put more plants in Tennessee than in any other state?

Why are record and movie makers coming to Tennessee instead of New York and Los Angeles?

When Dupont or Alcoa or Goodyear try to transfer workers from their Tennessee plants why do the workers accept a pay cut to stay home in Tennessee?

Why are the men Mel Tillis sang about in "Detroit City" coming home first chance they get?

Why is this Tennessee Homecoming happening?

People just like to live here. That's why.

Good times or bad, most of us wouldn't swap our streams, our mountains, our fishing, our values, our way of life in any of the 3,000 communities we call home for all the computers and microprocessors in the U.S. and Japan put together!

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But we don't have to make that choice.

We can have our better paying jobs and keep our special way of life, too . . . If we use our common sense.

Here is an idea how to do just that:

Let's have our own kind of Tennessee Homecoming: Let us all come home ourselves to the values which make our Tennessee way of life so very special.

To keep from losing Tennessee let's cherish those 3,000 Tennessee communities -- those 3,000 places we call home -- each unique -- each with its own reason for being -- each with its own traditions and land and people.

The first step in our own Tennessee Homecoming, the 1983 step that starts now, is for each community to take a look at itself and decide what is its unique and special feature.

Let each of Tennessee's 3,000 communities copy Henning's Alex Haley and search out its community roots. Turn off the television and start interviewing your grandparents on the front porch while you still can.

If the 1983 step is to define what's special, the 1984 step is for each community to emulate Jonesboro and design a local community homecoming project to cherish and hold on to what's special.

The 1985 step is for each community to build its project.

And the 1986 step is for all of us to celebrate by inviting all America to come see what we've done--to come see the traditions and values of Tennessee and wonderful differences in the 3,000 places we call home--to come to an American Homecoming to TENNESSEE '86.

TENNESSEE '86 is not a big State government program. It can only happen in our communities -- with elected officials as catalysts to help it happen.

TENNESSEE '86 is what Community Days in my campaign were all about, and I'm going to keep doing them, starting next Saturday in Sumner County, where we are going to be working and walking to buy computers for that county's schools.

Eight generations ago, 200 years ago in 1783, my ancestral great-grandfathers, Richard Rankin and John Alexander, must have literally nearly bumped into each other when they settled Limestone Creek in Washington County.

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My ancestors, like yours, were American Heroes. In the American soil they make places which are still our homes. In the American soul they carved an independence and mutual caring which are still our strengths.

That was 1783. The challenges then were different. The buffaloes chased after their corn; they chased after the buffaloes; and the Indians chased after them.

We are chasing after basic skills, computer skills and new job skills so we can feed our families better. But the values we want to hold on to are the same -- independence and mutual caring.

So Tennessee has a long way to go, some fundamental changes to make.

As our Tennessee Homecoming moves toward the 1986 celebration, we will see Tennesseans with different kinds of better paying jobs, better basic skills, new job skills, computer skills, a completed Oak Ridge Corridor and Memphis Agricenter, virtually everyone going in and out of school all their lives, more technical training, Universities with higher standards, more professional and better paid teachers at every level.

And on our long journey we should remember that most good things don't happen in Washington or Nashville, in the homes of Government. Most good things happen in the homes of people. They happen in Millington and Dyersburg and Spring Hill, Tullahoma, Pigeon Forge, Church Hill -- because of the ideas, inspiration, people and values in each of those 3,000 places we call home.

We'll welcome high technology and keep the Grand Ole Opry, too -- and we'll send the Opry and our values by communication satellite around the world.

That means some good new jobs around Tennessee. But it doesn't have to change the way they live in Grinder's Switch.

I think of TENNESSEE '86, this homecoming project and my eight years as Governor just as I learned to think about my walk across Tennessee in 1978.

The first step was not such a big deal. Each day was a joy, but not a statewide headline. But when I finished that six month, 1,000 mile walk and stuck my feet on a hot day in the Mississippi River, looking back, it was quite a journey.

The objective of that walk, my Governorship and our march toward TENNESSEE '86 is the same: head in the right direction and get there.

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Chet Atkins said: "In this life you've gotta be careful where you aim, because you go right where you aim."

Chet's right.

And we're aiming in the right direction.

But it will take all of us aiming right for us all to get there.

First, the Legislature and I must pull together. I believe we will. We don't need a honeymoon. We've lived together for four years. This Legislature is experienced. Its leadership, both Democratic and Republican, has never been better. Already the work of Legislative Task Forces on Education and Corrections show that.

Governor Wilder and Mr. Speaker McWhorter, you can in this General Assembly make history not only as the Speakers who served the longest, but as the Speakers who served the best, and every effort I make will be to see you can do just that.

The new Cabinet is superb.

But, if the Legislature, the Cabinet and I are the only ones who aim in the right direction, we won't get there.

We will need you, the people to come with us. And I hope you will start in the next few months by walking the Inaugural Parade route with us and in reviewing the Parade with us. And as you do, join us in thinking how we can cherish and preserve Tennessee's 3,000 places we're so proud to call home.

It will be, after all, a parade of communities -- led by our ten honored Homecoming guests who are seated right here on the front row -- home from jobs elsewhere, home to retire, home from fighting for the freedom of their country, home to the simple values and beauty of Tennessee and its people.

And it will be a parade of Tennessee's young people -- marching in tribute to the communities they call home -- and for the first Inaugural ever (but I hope not the last) raising money for local community needs as they march.

So come walk with us for the 3,000 Tennessee places called home, carrying the Flag of Volunteers.

Imagine where we all can get if we all aim in the right direction.

Basic Skills First, Computer Skills Next, New Job Skills for all Tennesseans of all ages.

And, TENNESSEE '86. An American Homecoming.

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No wonder so many people want to live in Tennessee.

Mr. Speaker, I am ready to take the Oath of Office.

OATH OF OFFICE

The Honorable William H. D. Fones, Chief Justice of the Supreme Court of Tennessee, administered the Oath of Office to Governor Lamar Alexander, as prescribed by law.

Governor Lamar Alexander and Chief Justice William H. D. Fones signed the Oath of Office.

Thereupon, Mr. President Wilder declared that the Honorable Lamar Alexander was duly, legally and constitutionally inaugurated the Governor of the State of Tennessee for the ensuing four years.

The Tennessee National Guard gave the Governor's Salute.

The benediction was given by Rabbi Harry Danzinger of the Temple Israel of Memphis, Tennessee.

Mr. President Wilder relinquished the gavel to Mr. Speaker McWherter as President of the Joint Convention.

The purpose for which the Joint Convention was assembled having been accomplished, Mr. President McWherter declared the Joint Convention dissolved.

Thereupon, pursuant to Mr. Naifeh's motion, Mr. President McWherter declared the Organizational Session of the 93rd General Assembly adjourned, in accordance with House Joint Resolution No. 2.